

Afghanistan and Iraq, Sergeant Jeremy Wright's name will be enshrined in the hearts of two grateful nations, the United States of America and the free Islamic Republic of Afghanistan, forever.

#### RIGHTFUL ELECTION

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, we are delighted to be here today to swear the electoral votes from all the States in the Union. Having witnessed in 2000, very upfront and personal, there were a lot of charges made at that time that votes were stolen, elections were rigged. Time and time again evidence proved that those charges were false and malicious; and the President of the United States, who was elected and sworn into that office, was in fact the rightful recipient of that title.

Now, I understand today that there may be more mischief relative to another State in the Union who is having the laser beam of focus on it and that is Ohio.

Now, Florida was declared victorious for President Bush in 2000. In 2004, for a larger plurality of Floridians, the Democratic party worked tirelessly to provide workers in Florida, having witnessed new faces from around almost every county, participating in the democratic way of trying to help their candidate. No excuses can be made. The President of the United States, George W. Bush, won reelection; and we are here today to do our constitutional duty to convey those electoral votes as properly counted and tabulated and declared for the candidate who received the majority.

□ 1115

Ohio declared the victory for George W. Bush. Florida did as well, as did many other States; and our Commander in Chief and President of the United States is duly entitled to receive the swearing-in ceremonies on these grounds on January 20.

Now, having Floridians subjected to a lot of catcalls and acrimony over their voting habits, we are delighted another State has taken that honor; but without question, having analyzed the documents, having witnessed committee hearings on allegations and yet no one brought meaningful charges, we are pleased and delighted that President Bush again will serve this Nation for the next 4 years.

This weekend I would like to remind our Members that we celebrate the 10th anniversary of the 104th Congress. We are proud of the class that was elected. My colleague, the gentleman from Arizona (Mr. HAYWORTH), has made arrangements for us all to go to Arizona to think back on what we have achieved the last 10 years and what we hope to go forward with. A lot of important issues like Social Security,

Medicare, prescription drug coverage, things of that nature, will be discussed at this conference.

The gentleman from Arizona (Mr. HAYWORTH) and the gentleman from Illinois (Mr. WELLER) have been leaders in the effort, and I see my colleague approaching the mike.

Mr. HAYWORTH. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I thank my friend from Florida, especially in terms of the fact that a quick check of the weather map indicates that his district may enjoy temperatures in the 80s this weekend; and in Arizona, we are just creeping back up to 65 in the Sonoran Desert. So I appreciate the fact that he is willing to pack a sweater. Hopefully, no umbrella will be needed in the wake of the moisture. We very much needed it in the desert earlier this week and in the high country in terms of snow.

But weather aside, we hope that all our friends from the class of 1994 and the 104th Congress will enjoy their time as we take a look at where we have been and where we are headed in this 109th Congress.

Mr. FOLEY. Mr. Speaker, I was not going to brag about the weather in Florida, but I have repeatedly on either Fox News Channel or in other circumstances.

If I could also make one other mention on Social Security while I have the floor reserved. Social Security is a very, very important issue for Americans. There have been a lot of comments in the newspaper about potential damage, destruction of Social Security; and I can assure my colleagues, as one Member who comes from the fifth largest Medicare-eligible population in America of all 435 districts, that this truly is an important endeavor for our Congress, and we should not be using brick bats to demonize one side or the other about plans.

We should talk constructively about the opportunities to engage, both sides of the aisle, whether it is the gentleman from New York (Mr. RANGEL) or the gentleman from California (Mr. THOMAS), who have significant ideas about how to improve the structural nature of this important program.

No one's trying to destroy it. Nobody's trying to uncouple it, but we are trying to look at rational ways in which we can deliver the benefits not only to those who are currently enrolled in the system, but those who are starting their first job or just born.

It is much too important to have polarization on a topic that is so critically important to our citizens. Our seniors need not be frightened. Forty-five-year-olds need not be wondering whether it is going to be there for them. A 30-year-old should not consider Social Security like UFOs, unattainable, unavoidable or unlikely.

The system is going to be preserved. How we do that depends on the willing-

ness of both sides of the aisle to talk constructively about how to create a financial network, strengthen the system in order that recipients in the future may, in fact, receive their full benefits.

#### APPOINTMENT OF TELLERS ON THE PART OF THE HOUSE TO COUNT ELECTORAL VOTES

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to Senate Concurrent Resolution 1, 109th Congress, and the order of the House of January 4, 2005, the Chair announces the Speaker's appointment as tellers on the part of the House to count the electoral votes:

the gentleman from Ohio, Mr. NEY, and  
the gentleman from Connecticut, Mr. LARSON.

#### APPOINTMENT OF MEMBER TO THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. Pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 4, 2005, the Chair announces the Speaker's appointment of the following Member of the House to the Permanent Select Committee on Intelligence:

Ms. HARMAN of California.

#### ACCELERATION OF INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF VICTIMS OF INDIAN OCEAN TSUNAMI

Mr. HAYWORTH. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 241) to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Clerk read the bill, as follows:

H.R. 241

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ACCELERATION OF INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF INDIAN OCEAN TSUNAMI VICTIMS.

(a) IN GENERAL.—For purposes of section 170 of the Internal Revenue Code of 1986, a taxpayer may treat any contribution described in subsection (b) made in January 2005 as if such contribution was made on December 31, 2004, and not in January 2005.

(b) CONTRIBUTION DESCRIBED.—A contribution is described in this subsection if such contribution is a cash contribution made for

the relief of victims in areas affected by the December 26, 2004, Indian Ocean tsunami for which a charitable contribution deduction is allowable under section 170 of the Internal Revenue Code of 1986.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 12:55 p.m.

Accordingly (at 11 o'clock and 21 minutes a.m.), the House stood in recess until approximately 12:55 p.m.

□ 1258

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 58 minutes p.m.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

#### SWEARING IN OF MEMBER-ELECT

The SPEAKER. Will the gentleman from Arizona (Mr. SHADEGG) please take his place in the well of the House and take the oath of office at this time.

Mr. SHADEGG appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office upon which you are about to enter, so help you God.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the swearing in of the gentleman from Arizona, the whole number of the House is adjusted to 429.

#### COUNTING ELECTORAL VOTES— JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF SENATE CONCURRENT RESOLUTION 1 (HOUSE OF REPRESENTATIVES— JANUARY 6, 2005)

At 1:02 p.m., the Sergeant at Arms, Wilson Livingood, announced the Vice President and the Senate of the United States.

The Senate entered the Hall of the House of Representatives, headed by

the Vice President and the Secretary of the Senate, the Members and officers of the House rising to receive them.

The Vice President took his seat as the Presiding Officer of the joint convention of the two Houses, the Speaker of the House occupying the chair on his left.

The joint session was called to order by the Vice President.

The VICE PRESIDENT. Mr. Speaker and Members of Congress, pursuant to the Constitution and laws of the United States, the Senate and House of Representatives are meeting in joint session to verify the certificates and count the votes of the electors of the several States for President and Vice President of the United States.

After ascertainment has been had that the certificates are authentic and correct in form, the tellers will count and make a list of the votes cast by the electors of the several States.

The tellers on the part of the two Houses will please take their places at the Clerk's desk.

The tellers, Mr. LOTT and Mr. JOHNSON on the part of the Senate, and Mr. NEY and Mr. LARSON of Connecticut on the part of the House, took their places at the desk.

The VICE PRESIDENT. Without objection, the tellers will dispense with reading formal portions of the certificates.

There was no objection.

The VICE PRESIDENT. After ascertaining that certificates are regular in form and authentic, the tellers will announce the votes cast by the electors for each State, beginning with Alabama.

Senator LOTT (one of the tellers). Mr. President, the certificate of the electoral vote of the State of Alabama seems to be regular in form and authentic, and it appears therefrom that George W. Bush of the State of Texas received 9 votes for President and DICK CHENEY of the State of Wyoming received 9 votes for Vice President.

Mr. NEY (one of the tellers). Mr. President, the certificate of the electoral vote of the State of Alaska seems to be regular in form and authentic, and it appears therefrom that George W. Bush of the State of Texas received 3 votes for President and DICK CHENEY of the State of Wyoming received 3 votes for Vice President.

Senator JOHNSON (one of the tellers). Mr. President, the certificate of the electoral vote of the State of Arizona seems to be regular in form and authentic, and it appears therefrom that George W. Bush of the State of Texas received 10 votes for President and DICK CHENEY of the State of Wyoming received 10 votes for Vice President.

Mr. LARSON of Connecticut (one of the tellers). Mr. President, the certificate of the electoral vote of the State of Arkansas seems to be regular in form and authentic, and it appears therefrom that George W. Bush of the State of Texas received 6 votes for

President and DICK CHENEY of the State of Wyoming received 6 votes for Vice President.

Senator LOTT. Mr. President, the certificate of the electoral vote of the State of California seems to be regular in form and authentic, and it appears therefrom that JOHN F. KERRY of the Commonwealth of Massachusetts received 55 votes for President and John Edwards of the State of North Carolina received 55 votes for Vice President.

Mr. NEY. Mr. President, the certificate of the electoral vote of the State of Colorado seems to be regular in form and authentic, and it appears therefrom that George W. Bush of the State of Texas received 9 votes for President and DICK CHENEY of the State of Wyoming received 9 votes for Vice President.

Mr. LARSON of Connecticut. Mr. President, the certificate of the electoral vote of the great State of Connecticut seems to be regular in form and authentic, and it appears therefrom that JOHN F. KERRY of the Commonwealth of Massachusetts received 7 votes for President and John Edwards of the State of North Carolina received 7 votes for Vice President.

Senator JOHNSON. Mr. President, the certificate of the electoral vote of the State of Delaware seems to be regular in form and authentic, and it appears therefrom that JOHN F. KERRY of the Commonwealth of Massachusetts received 3 votes for President and John Edwards of the State of North Carolina received 3 votes for Vice President.

Senator LOTT. Mr. President, the certificate of the electoral vote of the District of Columbia seems to be regular in form and authentic, and it appears therefrom that JOHN F. KERRY of the Commonwealth of Massachusetts received 3 votes for President and John Edwards of the State of North Carolina received 3 votes for Vice President.

Mr. NEY. Mr. President, the certificate of the electoral vote of the State of Florida seems to be regular in form and authentic, and it appears therefrom that George W. Bush of the State of Texas received 27 votes for President and DICK CHENEY of the State of Wyoming received 27 votes for Vice President.

Senator JOHNSON. Mr. President, the certificate of the electoral vote of the State of Georgia seems to be regular in form and authentic, and it appears therefrom that George W. Bush of the State of Texas received 15 votes for President and DICK CHENEY of the State of Wyoming received 15 votes for Vice President.

Mr. LARSON of Connecticut. Mr. President, the certificate of the electoral vote of the State of Hawaii seems to be regular in form and authentic, and it appears therefrom that JOHN F. KERRY of the Commonwealth of Massachusetts received 4 votes for President and John Edwards of the State of North Carolina received 4 votes for Vice President.